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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
118,529	2-4-80	Otto Schwarz, et al	24230

Brumbaugh, Graves, Donohue
and Raymond
30 Rockefeller Plaza
New York, N.Y. 10020

EXAMINER	
A. Lieberman	
ART UNIT	PAPER NUMBER
142	5

DATE MAILED: ~~MAILED~~

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

JUN 02 1981

GROUP 140

☒ This application has been examined. ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire _____ month(s), 30 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892 | 2. <input type="checkbox"/> Notice of Informal Patent Drawing, PTO-948 |
| 3. <input type="checkbox"/> Notice of References Cited by Applicant, PTO-1449 | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |

5. ☐ _____

Part II SUMMARY OF ACTION

1. ☒ Claims 1-14 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.

3. ☐ Claims _____ are allowed.

4. ☐ Claims _____ are rejected.

5. ☐ Claims _____ are objected to.

6. ☒ Claims 1-14 are subject to restriction or election requirement.

7. ☐ The formal drawings filed on _____ are acceptable.

8. ☐ The drawing correction request filed on _____ has been ☐ approved. ☐ disapproved.

9. ☒ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has

☒ been received. ☐ not been received. ☐ been filed in parent application, serial no. _____,

filed on _____.

10. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

11. ☐ Other

Art Unit 142

12. Restriction is required under 35 USC 121 between the distinct inventions as grouped below:

I. Claims 1-11 drawn to a protein-containing tissue adhesive or method of making it classified in Class 106, subclass 157.

II. Claims 12-14 drawn to a method of seamlessly connecting human or animal tissue using the tissue adhesive of Group I, classified in Class 128, subclass 82.1.

13. The inventions are distinct as the method of Group II is not restricted to the use of the adhesive of Group I alone, as is evident from consideration of claims 13 and 14. Also, it seems evident that the method of Group II could be followed using another coagulating adhesive such as mentioned in lines 10-14, page 2 of the specification.

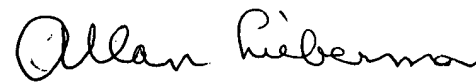
14. Since these distinct inventions have acquired a separate status in the art, as shown by the above classification, since the fields of search are not co-extensive, and since each of the inventions as grouped is capable of supporting a separate patent, restriction for examination purposes is proper.

15. In order to be complete, applicants' response must include an election of one of the above-grouped inventions, even though the requirement is traversed.

A. Lieberman/scg

703-557-3745

5-18-81



ALLAN LIEBERMAN
EXAMINER
ART UNIT 142